

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/646,811

Filing Date 01/05/2001

First Named Inventor TRINKIES

Group Art Unit 1731

Examiner Name LOPEZ

Attorney Docket Number BATG-5

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

FACSIMILE TRANSMITTAL FORM

Remarks

OFFICIAL

FAX RECEIVED

DEC 23 2002

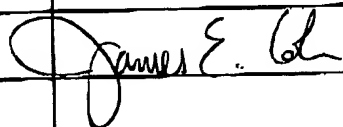
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

GROUP 1700

Firm or Individual name

JAMES E. COLE, REG. NO. 50,530

Signature



Date

12/20/2002

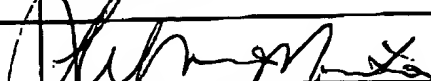
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 12/20/2002

Typed or printed name

LYNN MINTON

Signature



Date

12/20/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Middleton & Reutlinger
2500 Brown & Williamson Tower
Louisville, Kentucky 40202-3410

PHONE: (502) 584-1135
FAX: (502) 561-0442

OFFICIAL

**CONFIDENTIAL AND PRIVILEGED
ATTORNEY CLIENT COMMUNICATION**

The information contained in this facsimile message is the property of Middleton & Reutlinger. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information, is strictly prohibited. If you have received this message in error, please notify us immediately to arrange for its return. Thank you.

TO: U.S. Patent and Trademark Office
Examiner: Carlos Lopez Group: 1731
Fax #703-305-7718

FROM: James E. Cole, Reg. No. 50,530

DATE: December 20, 2002

PAGES: 4 in total (including cover sheet)

RE: U.S. Patent Application No. 09/646,811

Remarks: This facsimile is in response to the Restriction Requirement mailed on November 27, 2002.

Enclosed is:

- (1) Transmittal Form;
- (2) Response to Restriction Requirement.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Lynn Minton, Paralegal
Person Signing


Signature

12/20/02
Date

12/15/02 FAX 10:55 P.M. OF 301 5442
#12
N.L.H.
12-30-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Washington, D.C., United States of America

In re Application

of: **TRINKIES et al.**

Serial No.: 09/646,811

Filed: 01/05/2001

For: **A Do-It Yourself Cigarette Maker and
Component Assemblies**

Group Art Unit: 1731

Examiner: C. Lopez

FAX RECEIVED

DEC 23 2002

GROUP 1700

OFFICIAL

Response to Restriction Requirement

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the restriction requirement mailed November 27, 2002, please enter the enclosed election.

REMARKS

Applicant's attorney hereby elects to prosecute the invention cited as Group I, including claims 10-15 and 26-46. However, Applicant's attorney makes this election with traverse. Reconsideration of the application is respectfully requested.

Applicant's attorney traverses the Examiner's restriction between Groups I and II. The Examiner has stated that Group I, including claims 10-15 and 26-46, has the common special technical feature of a tobacco rod compression mechanism. The Examiner has further stated that Group II, including claims 47-52, has the common special technical feature of a housing having a plucking roller, funnel, tobacco chamber, and compressive pusher.